IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTIETH DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 18873 of 2004

Between:

1 Ahsan ali Khan S/o Yousuf Ali Khan
3-1-306, Kachiguda, Hyderabad.
2 Md.Mudassar Ali S/o Md. Tahasar Ali
H.NO.10-2-7/B/2, AC. Guarde Shantinagar, Hyderabad.

..... PETITIONERS

AND

1 Jawaharial Nehru Technological University rep.by its Vice Chancellor , Kukatpally, Hyderabad.
2 All India Council for Technical Education New Delhi.
3 Syed Hashim College of Science a Technology
Pragnapur, R.R.District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, or order or direction one in the nature of Mandamus declaring that the circular dt. 28/09/2004 issued by the Respondent No.3 as to be further detention of the petitioner after being qualified to continue in the 4th year course and not permitting them to appear the examinations of 1st semester in 4th year B.Tech Engineering course, is mala fide, illegal not void and opposed to the principles of natural justice

Counsel for the Petitioner: MR.P.L.N.MURTHY

Counsel for the Respondent No.1: MR.C.KONDANDA RAM

Counsel for the Respondent No.2: Ms. C. Sindhu Kumari

Counsel for the Respondent No.3: None appeared.

The Court made the following:

O R D E R:

This writ petition is filed aggrieved by the impugned circular dated 28-09-2004 issued by the third respondent, whereunder the petitioners are informed that they are not eligible for promotion since they have not secured the required credits.

When the writ petition is taken up for consideration on the last occasion, there was no representation on behalf of the petitioners and even today none appears for the petitioners.

The learned standing counsel appearing for the first respondent submitted that an identical issue has been considered by this Court in W.P.No.27418 of 2003 and batch and that the similar contentions raised by the petitioners therein were not accepted by this Court and the writ petitions were dismissed by a common order dated 09-03-2004. It is further represented that the said order has been confirmed by a Division Bench of this Court in W.A.No.669 of 2004 by order dated 01-04-2004.

In the facts and circumstances of the case and on a perusal of the order dated 09-03-2004 in W.P.No.27418 of 2003 and batch and the order of the Division Bench, I am of the view that the writ petition is devoid of any merit and the same is liable to be dismissed.

The writ petition is accordingly dismissed. No costs.

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(G. ROHINI, J)

Date: 20-01-2005

ghn

To

1 Jawaharial Nehru Technological University rep.by its Vice Chancellor , Kukatpally, Hyderabad.

2 All India Council for Technical Education New Delhi.

3 Syed Hashim College of Science a Technology
Pragnapur, R.R.District.

4 Two CD copies.